

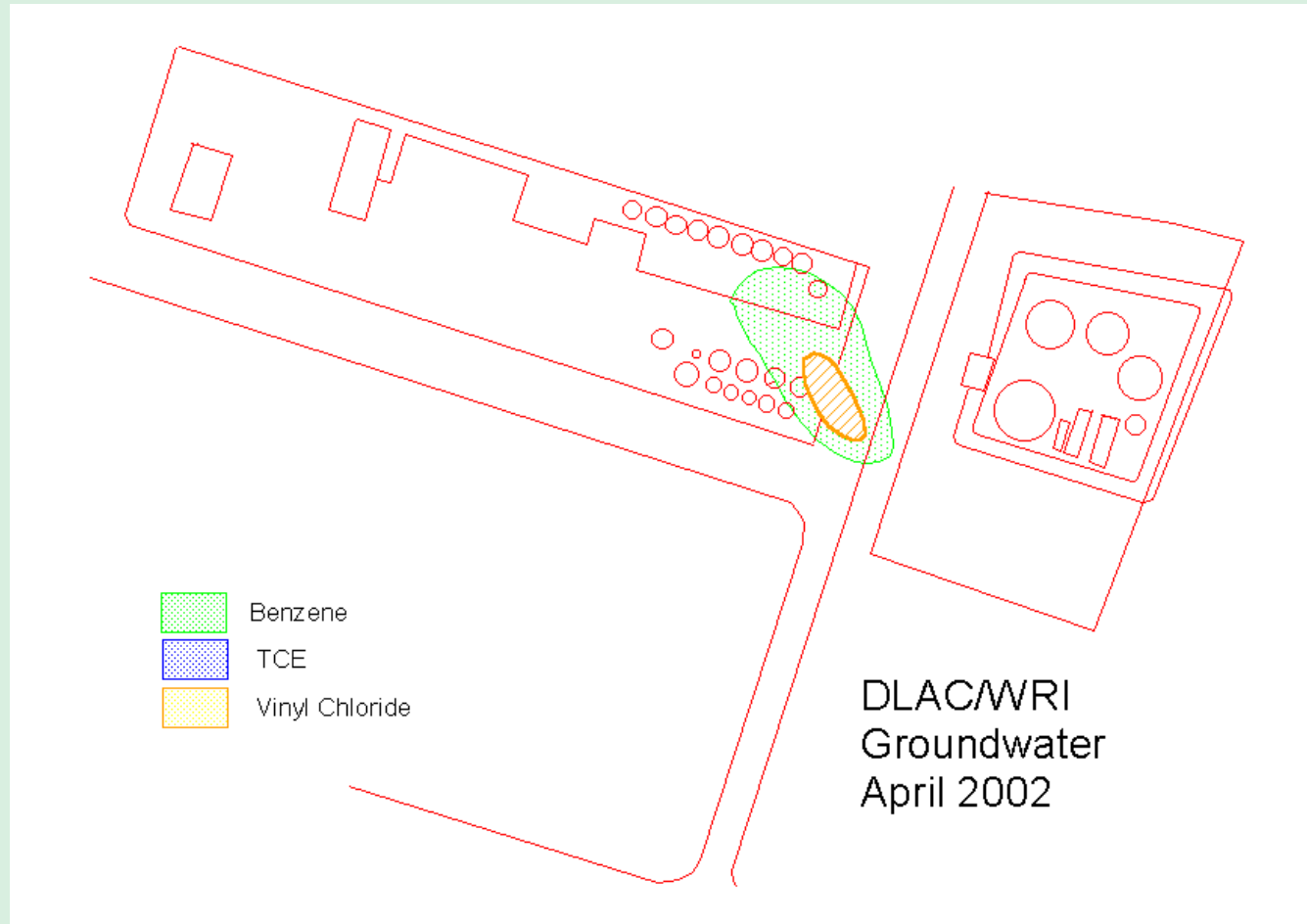
Remediation at Envirotech, S.E.



Envirotech, S.E.

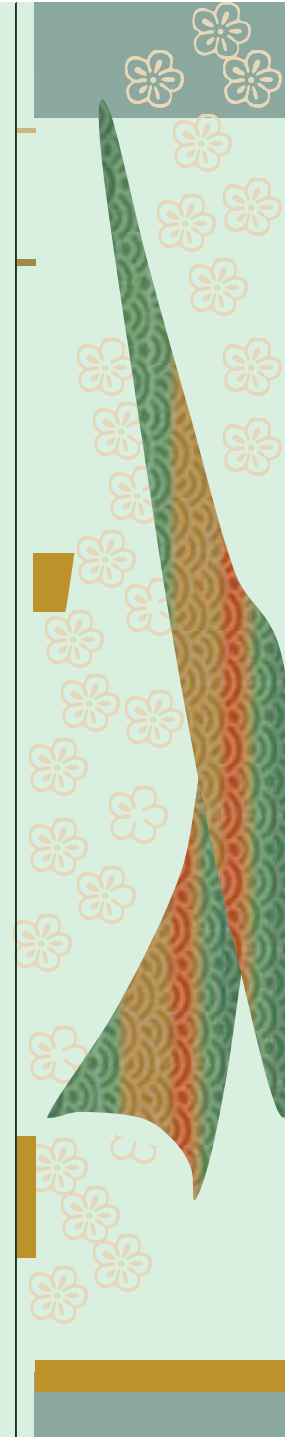
- FDEP, for and in consideration of the complete and timely performance by DLAC/WRI, LLC, waived its right to seek judicial imposition of damages or civil penalties (certain other qualifiers were also identified in this clause of the Consent Order).
- Inspections have shown significant reduction of groundwater contamination

ETSE Groundwater Plume 2002.



Comfort Letters

- In many cases, a “comfort letter” will suffice instead of a PPA.
- Comfort letters/status letters are issued to prospective purchasers and are provided solely for informational purposes;
- They relate to EPA’s intent to exercise its RCRA corrective action authorities at a property based upon the information presently known to EPA.





Comfort Letters (cont.)

- Based on Superfund comfort/status letter model;
- With the exception of sharing information already contained in EPA's files, comfort letters are not intended to express EPA's opinion as to possible contamination or the extent of ownership or operation at the site;
- Letters are not intended to limit EPA's authority under RCRA, or any other law, or to provide a release from RCRA.
- For more information, see epa.gov/compliance/resources/policies/cleanup/rcra/index.html and epa.gov/compliance/resources/policies/cleanup/brownfield/index.html.



Parceling at RCRA Sites

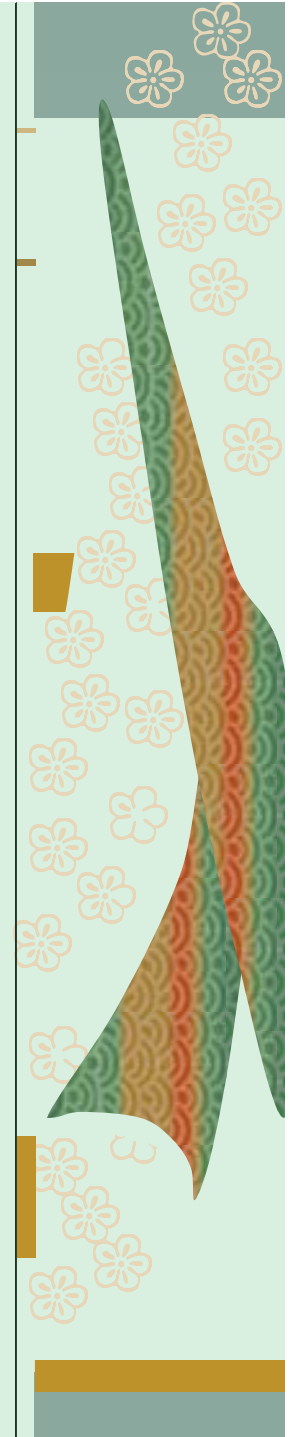
Working Concepts on RCRA Parceling

Reasons for Parceling

-  Allow redevelopment of at least some of potentially idle property
-  Can generate money to cleanup contaminated portions




Concerns

-  Money is diverted from contaminated areas to owner's pocket, leaving possible bankrupted RCRA site which has potential to be a SF site.
-  Selling clean property may have adverse effect on financial assurance.





Working Concepts on RCRA Parceling

Parceling at RCRA Permitted facilities

-  Remove parcel from site by permit modification.
-  Different types of permits to consider:
Corrective Action; Post-Closure;
-  Original owner liable for cleanup of any newly discovered contamination.

Parceling at Interim Status Facilities

-  May involve reprioritization of cleanup goals to facilitate transfer.
-  Some legal issues still being resolved

